

PATENT
Customer No. 22,852
Attorney Docket No. 5725.0496

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Marie-Pascale AUDOUSSET et al.)
)
Application No.: 09/443,505) Group Art Unit: 1751
)
CPA Filed: April 23, 2001) Examiner: M. Einsmann
)
For: COMPOSITION FOR THE)
OXIDATION DYEING OF)
KERATIN FIBRES AND DYEING)
PROCESS USING THIS)
COMPOSITION)

22
del

Assistant Commission for Patents
Washington, DC 20231

Sir:

TERMINAL DISCLAIMER

Assignee L'Oreal S.A., duly organized under the laws of FRANCE and having its principal place of business at 14, Rue Royale, 75008, Paris, France, through its attorneys, represents that it is the assignee of the entire right, title and interest in and to the instant application, Application No. 09/443,505, filed November 19, 1999, in the name of Marie-Pascale AUDOUSSET, for COMPOSITION FOR THE OXIDATION DYEING OF KERATIN FIBRES AND DYEING PROCESS USING THIS COMPOSITION by assignment duly recorded in the United States Patent and Trademark Office at Reel 010564, Frame 0392 and is and at all times was the only assignee of both of the following applications: application No.: 09/443,142, filed November 19, 1999, for COMPOSITION FOR THE OXIDATION DYEING OF KERATIN

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04/19/2002 HENDERSON 00000002 09443505

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FIBRES AND DYEING PROCESS USING THIS COMPOSITION, as indicated by assignment duly recorded in the U.S. Patent and Trademark Office at Reel 010906, Frame 0145; and application No.: 09/443,506, filed November 19, 1999, for COMPOSITION FOR THE OXIDATION DYEING OF KERATIN FIBRES AND DYEING PROCESS USING THIS COMPOSITION, as indicated by assignment duly recorded in the U.S. Patent and Trademark Office at Reel 010564, Frame 0377.

Assignee L'Oreal hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Application Nos. 09/443,505 and 09/443,142. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration dates of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of either or both of the prior patents, as presently shortened by any terminal disclaimer, in the event that either or both of the prior patents later expire for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, are statutorily disclaimed in whole or in part, or are terminally disclaimed under 37 C.F.R. § 1.321, have all claims canceled by a reexamination certificate, are reissued, or are in any

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manner terminated prior to the expiration of their full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$110.00 is being filed with this disclaimer. If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916.

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 18, 2002

By: Thalia V. Warnement
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